

Introduced by Senator Harman

February 24, 2009

An act to amend Section 11834.03 of the Health and Safety Code, relating to alcohol and drug programs.

LEGISLATIVE COUNSEL'S DIGEST

SB 268, as introduced, Harman. Alcoholism or drug abuse recovery or treatment facilities: licensing.

Existing law provides for the licensure, certification, and regulation of alcoholism or drug abuse recovery or treatment facilities serving adults, administered by the State Department of Alcohol and Drug Programs. Under existing law, an applicant for a license is required to submit to the department, among other things, a completed written application and an approved fire clearance.

This bill would require the application to include a certification that the facility complies with local zoning ordinances. It would also require the department to verify this certification.

This bill would make an approved fire clearance valid only for the duration of the 2-year term of the license. An applicant for license renewal would be required to obtain a new fire clearance, as prescribed.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11834.03 of the Health and Safety Code
- 2 is amended to read:

1 11834.03. Any person or entity applying for licensure shall
2 file with the department, on forms provided by the department, all
3 of the following:

4 (a) A completed written application for licensure *that includes*
5 *a certification by the applicant that the facility complies with local*
6 *zoning ordinances. The department shall verify this certification*
7 *before approving the application.*

8 (b) A fire clearance approved by the State Fire Marshal or local
9 fire enforcement officer. *This clearance shall be valid for the*
10 *two-year licensure term and shall expire at the conclusion of the*
11 *term. Any license renewal shall include a fire clearance approved*
12 *by the State Fire Marshal or local fire enforcement officer based*
13 *on building codes in place at the time of the applicable license*
14 *renewal.*

15 (c) A licensure fee, established in accordance with Chapter 7.3
16 (commencing with Section 11833.01).